

# BEST AVAILABLE COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pope et al.

Title: Diamond-Surfaced Femoral Head for Use in a Prosthetic Joint

Filed: January 30, 2000

Serial No.: 09/494,240

Docket: 6056 P

Examiner: Pellegrino

GAU: 3738

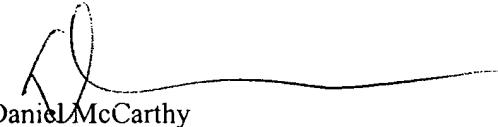


Assistant Commissioner for Patents  
Washington, DC 20231

### Certificate of Mailing

Honorable Assistant Commissioner:

I hereby certify that the attached Response to Office Action is being submitted via first class mail with the United States Postal Service in an envelope with sufficient postage addressed to "Assistant Commissioner for Patents, Washington, DC 20231" on November 2, 2001.

  
Daniel McCarthy  
Reg. No. 36,600  
Parsons, Behle & Latimer  
201 South Main Street, Suite 1800  
P.O. Box 45898  
Salt Lake City, Utah 84145  
Tel: (801) 536-6830 or (801) 532-1234  
Fax: (801) 536-6111  
Email: [DMcCarthy@pblutah.com](mailto:DMcCarthy@pblutah.com)

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**Response to Office Action**

Honorable Assistant Commissioner:

This paper is intended to be fully responsive to the office action mailed on July 12, 2001.

**Remarks**

**Drawings**

Applicant has attached proposed replacement drawings for the Examiner's consideration. No new matter has been added to the drawings.

Applicant responds to the prior art rejections as follows:

**Specification**

Applicant will remain vigilant to any possible errors in the specification.

**§ 102 Rejections**

The Examiner has rejected pending claims as anticipated by Buechel (U.S. Patent No. 5,702,448). Applicant responds as follows.

1. Buechel (U.S. Patent No. 5,702,448) is NOT an enabling reference. Buechel has only two (2) uses of the word 'diamond' in his entire disclosure:

A prosthetic device as in claim 12, wherein the biologically inert material is selected from the group consisting of titanium nitride, zirconium, titanium boride, titanium carbide, aluminum oxide and diamond.